

I HEREBY CERTIFY THAT THIS CORRESPONDENCE
IS BEING DEPOSITED WITH THE U.S. POSTAL
SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE
ADDRESSED TO: ASSISTANT COMMISSIONER FOR
PATENTS, WASHINGTON, D.C. 20231, ON

Z. Argi
PATENT
Cafa
3-26-03

February 26, 2003
Antonio J. Malo 02-26-03
SIGNATURE DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Albert W. DeBoni
Serial No. : 09/839,911
Filing Date : April 20, 2001
For : SYSTEM AND METHOD FOR
CONTROLLING VEHICLE
SUSPENSION COMPONENTS AND
VEHICLE OCCUPANT PROTECTION
DEVICES
Group Art Unit : 3661
Examiner : Jacques H. Louis Jacques
Attorney Docket No. : TRW(TE)5659
Assistant Commissioner for Patents
Washington, D.C. 20231

FILED
MAR 07 2003

RESPONSE

GROUP 3600

Sir:

Reconsideration of the above-identified application in
view of the present amendment and these remarks is
respectfully requested.

It is noted with appreciation that the subject matter of
claims 6 and 11 are indicated as allowable and that
claims 15-18 have been allowed.

Claims 1-5, 7-10 and 12-14 have been rejected under 35
U.S.C. §102 as being anticipated by Burton et al. publication
GB 2,292,126A. This rejection is respectfully traversed.

Anticipation requires a single prior art reference that discloses each element of the claim. W. L. Gore & Associates v. Garlock, Inc., 220 UPSQ 303, 313

(Fed. Cir. 1983) cert. denied 469 U.S. 851 (1984). For a reference to anticipate a claim, "[t]here must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention." Scripps Clinic & Research Foundation v. Genentech Inc., 18 USPQ2d 1001, 1010 (Fed. Cir. 1991).

The Burton et al. publication appears to disclose a system that does use a single bank of accelerometers to provide acceleration information to more than one "sub-system." These "sub-systems," however, are not controlled by "a controller" as recited in the presently claimed invention. In Burton et al., the outputs of the accelerometers 21, 22, and 23 are connected to a signal processor 16. "The signal processor unit 16 acts so as to transform the data received from the accelerometers 21,22,23 into the required outputs for the sub-systems supplied by applying pre-determined transfer functions to the inputs to produce the required outputs." (see pg. 3 of the Burton et al. publication) Therefore, the acceleration signals are processed by transfer functions and then output to the various "sub-systems."

Burton et al. appears to teach two "sub-systems." One such "sub-system" being an electronically controlled suspension system including shocks 12, wheel speed sensors 17, and an electron suspension control unit 18. The other

disclosed "sub-system" is an airbag assembly 19. Each of these two systems is clearly controlled separately. There is no teaching of the controller 18 being used to control the airbag system. The control unit 18 is clearly not connected to the air bag assembly 19. "The signal processor unit 16 is connected to the suspension control unit 18 and also to another electrical sub-system of the motor vehicle..."

(See pg. 3 of the Burton et al. publication, emphasis added)

For these reasons, it is respectfully suggested that Burton et al. does not anticipate the invention recited in claim 1 of the subject application since there is no teaching of a controller for controlling an active suspension component of a vehicle and a vehicle occupant protection device of the vehicle as is recited in claim 1. Therefore, it is respectfully requested that the rejection of claim 1 be withdrawn and claim 1 indicated as allowed.

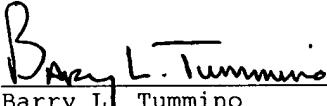
Claims 2-12 are allowable for at least the same reasons claim 1 is allowable.

Claim 13 recites a single controller being operative to control at least one active suspension component and at least one occupant protection device. For reasons similar to those set forth above regarding claim 1, it is respectfully suggested claim 13 is allowable. Claim 14 is allowable for at least the same reasons claim 13 is allowable. It is respectfully requested that the rejection of claims 13 and 14 be withdrawn and indicated as allowed.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,


Barry L. Tummino
Reg. No. 29,709
Customer No.: 26,294

TAROLLI, SUNDHEIM, COVELL,
& TUMMINO L.L.P.
526 Superior Avenue, Suite 1111
Cleveland, Ohio 44114-1400
Phone: (216) 621-2234
Fax: (216) 621-4072